

to conduct discovery before he files an Amended Complaint is denied.

Next, as to Plaintiff's request for an order compelling discovery to obtain the names of various persons who allegedly violated Plaintiff's constitutional rights, as the Court explained in a prior order, Plaintiff is entitled to limited discovery to determine the names of individual Defendants only if he can show the Court that the discovery will likely reveal the names of the persons who allegedly violated his rights. See (Chidi Njoku v. Unknown Special Unit Staff, 217 F.3d 840 (4th Cir. 2000) ("The designation of a John Doe defendant is generally not favored in the federal courts; it is appropriate only when the identity of the alleged defendant is not known at the time the complaint is filed and the plaintiff is likely to be able to identify the defendant after further discovery.")). Plaintiff has not met this burden in his pending motion. Once Plaintiff files an Amended Complaint, the Court may reconsider Plaintiff's request to conduct discovery to obtain the names of the individual Defendants, but only if Plaintiff can meet his burden of showing that the discovery will likely reveal the names of the persons who allegedly violated his rights.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion for Extension of Time to Amend Complaint, (Doc. No. 14), is **GRANTED**, and Plaintiff shall have thirty days in which to file an Amended Complaint. To the extent that Plaintiff brings a separate motion to compel discovery, the motion is **DENIED**.
2. In accordance with Plaintiff's request, the Clerk is respectfully instructed to mail Plaintiff a copy of his original Complaint in this matter.

Signed: March 11, 2016



Frank D. Whitney
Chief United States District Judge

